

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>

S003208

2005, 2006, 2007

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

MIKE FOLEY

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

Primary Contact:

MIKE FOLEY
21529 SIMPSON RD
CORNING, CA 96021

Agent:

Address:

Phone No. 530-824-4380

Fax No.

E-mail Address:

Phone No.

Fax No.

E-mail Address:

Source Name: MILL CREEK

Tributary To:

County: Tehama

Diversion within: SW 1/4 of NW 1/4 Section 4, T 23 N, R 7 W, MDB&M

Year of First Use: 1890

Name of Diversion works:

Assessor Parcel Number of the Diversion site:

A. **Water is Used Under:** Riparian claim ☐ Pre-1914 claim ☒ Court Decree No.: Other (explain):

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) 1890

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) Gallons per day (gpd) Cubic feet per second (cfs)

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2005													
2006													
2007													

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons Million Gallons (MG) Acre-feet (AF) 16

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2005			✓	✓	✓	✓	✓						
2006			✓	✓	✓	✓	✓	✓					
2007			✓	✓	✓	✓	✓						

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 16 acres; Stockwatering ; Domestic ;
Other (specify)

Parcel Number(s) of Place of Use:

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

- a. Are you now employing water conservation efforts? YES NO ☒
Describe any water conservation efforts you have initiated:
- b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:
Year (AF/MG) Year (AF/MG) Year (AF/MG)

Reduction in consumptive use:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO X

b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES _____ NO X

b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: _____, 20____ at _____, California

SIGNATURE: M. Kelly

PRINTED NAME: MIKE P KELLY
(first name) (middle initial) (last name)

COMPANY NAME: _____

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

CY 12-19
5-3 208

**** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ****

**STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS**

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S003208

OWNER OF RECORD: ~~BILL FOLEY~~ *And Mike Foley*

Mike
~~BILL FOLEY~~

~~P.O. BOX 700~~

CORNING, CA 96021

215 29 SIMPSON RD

STATE WATER RESOURCES CONTROL BOARD
DIV. OF WATER RIGHTS
SACRAMENTO

1995 JUN 12 PM 2:25

SOURCE: MILL CREEK
TRIBUTARY TO: THOMES CREEK
COUNTY: TEHAMA
DIVERSION

WITHIN: SW¼ OF NW¼ SECTION 4, T23N, R7W, MDB&M.

TELEPHONE NUMBER:

(916) 824-5759

YEAR OF FIRST USE: 1890

PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

- A. Water is used under: Riparian claim _____; Pre 1914 right ☒; Other (explain) _____
- B. Year of first use (Please provide if missing above) _____
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	✓		✓	✓	✓	✓	✓	✓	✓	✓			
1993			✓	✓	✓	✓	✓	✓	✓	✓			
1994			✓	✓	✓	✓	✓	✓	✓	✓			

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
- Irrigation 40 acres; Stockwatering 50; Domestic _____
- Other (specify) _____

***** CONTINUE ON BACK PAGE *****

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 3/21, 19 95, at CORVALLIS, California
SIGNATURE: Bill Foley
PRINTED NAME: Bill Foley Mike Foley
COMPANY NAME: _____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. Box 2000
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE
INFORMATION SHEET

STATEMENT NO. 500 328

DIVERSION SITE:

OWNER'S NAME UNKNOWN
(FIRST) (MIDDLE) (LAST)

PARCEL NO. _____

PLACE OF USE:

OWNER'S NAME Bill Foley and Mike Foley
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. 83 070 43

2. PARCEL NO. _____

3. PARCEL NO. _____

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER Owner

NAME Bill Foley
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS Bx 708
CORNING Calif 96021
(CITY) (STATE) (ZIP)

TELEPHONE NO. (916) 824 - 5759

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____

(CITY) (STATE) (ZIP)

TELEPHONE NO. (____) _____ - _____

2. NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____

(CITY) (STATE) (ZIP)

TELEPHONE NO. (____) _____ - _____

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL
INFORMATION BOX.

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 003208

BILL FOLEY
P O BOX 708
CORNING, CA 96021

TELEPHONE NUMBER:
(916) 824-5759

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: MILL CREEK

TRIBUTARY TO: THOMES CREEK

COUNTY: TEHAMA

YEAR OF FIRST USE: 1890

DIVERSION

WITHIN: SW1/4 OF NW1/4 SECTION 04, T23N, R07W, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain) _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1991			✓	✓	✓	✓	✓	✓	✓	✓			
1992			✓	✓	✓	✓	✓	✓	✓	✓			
1993			✓	✓	✓	✓	✓	✓	✓	✓			

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 40 acres; Stockwatering 50; Domestic _____
Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 7/16, 1994, at CORNING, California

Signature: Bill Foley

STATE WATER RESOURCES
CONTROL BOARD
DIV. OF WATER RIGHTS
SACRAMENTO
1994 JUN 27 PM 2:32

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST., SACRAMENTO, CA 95814
STATE WATER RESOURCES
(916) 322-4503
(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1991 FEB 20 AM 8:07

DIVERTER OF RECORD:

DIV. OF WATER RIGHTS
SACRAMENTO

STATEMENT NO: 003208

BILL FOLEY
P O BOX 708
CORNING, CA 96021

TELEPHONE NUMBER:
(916) 824-4744
824-5759

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: MILL CREEK

TRIBUTARY TO: THOMES CREEK

COUNTY: TEHAMA

DIVERSION

WITHIN: SW1/4 OF NW1/4 SECTION 04, T23N, R07W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts ☐ Gallons
below are: ☐ Acre-feet
☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988	✓	✓	✓	✓	✓	✓	✓					✓	
1989	✓	✓	✓	✓	✓	✓	✓	✓				✓	
1990	✓	✓	✓	✓	✓	✓							

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 40 Acre

Stockwatering 120 Head

Domestic _____

Other (specify) _____

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 1-30, 1991, at CORNING, California

Signature: Bill Foley

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

S3208

This statement should be typewritten or legibly written in ink.

- A. Name of person diverting water Stuart Cleck
Address Rt. 1. Box 197 Corning Calif. 96021
- B. Name of body of water at point of diversion mill Creek
Tributary to Thomas Creek
- C. Place of diversion ~~7th~~ $\frac{1}{4}$ $\frac{1}{4}$ NW Section 4, Township 23 N., Range 7 W., M.D. B&M,
Schama County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works

E. Capacity of diversion works

Capacity of storage or weir

State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
:	:	:	:	:	:	:	:	:	:	:	:	:	:

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc. 25 to 30 head

Stock water - 40 to 50 acre in seden 30-409. prominent

Maximum annual water use in recent years 800

Minimum annual water use in recent years 350

Type of diversion facility: gravity X, pump

Method of measurement: none, electric power meter, estimate X

F. Purpose of use (what water is being used for) irrigation and Stock water

G. General description or location of place of use (use sketch of section grid on reverse side if you desire) About 5 miles above Pashanta on North Side of Thomas Creek

H. Year of first use as nearly as known 1880

I. Name of person filing statement Stuart Cleck

Position Owner

Organization

Address Rt. 1. Box 197 Corning Calif.

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed Aug 31 1967

Signature Stuart Cleck

See Instructions on Reverse Side